

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

In re:)	Chapter 11
)	
THREE AMINOS, LLC,)	Case No. 3:23-bk-02202
)	
Debtor.)	Hon. Charles M. Walker

THE DEADLINE FOR FILING A TIMELY RESPONSE IS: July 19, 2023
IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: August 30, 2023, at 11:00 a.m.,
Courtroom Two, Second Floor, Customs House, 701 Broadway, Nashville, Tennessee, 37203

**NOTICE OF APPLICATION TO EMPLOY
BRADLEY ARANT BOULT CUMMINGS LLP AS BANKRUPTCY COUNSEL**

The above-captioned debtor (the “Debtor”) has asked the Court for the following relief: *Application to Employ Bradley Arant Boulton Cummings LLP as Bankruptcy Counsel*, a copy of which is attached hereto.

YOUR RIGHTS MAY BE AFFECTED. If you do not want the court to enter the attached order, or if you want the court to consider your views on the order, then on or before **July 17, 2023**, you or your attorney must:

1. File with the court your written response or objection explaining your position. **PLEASE NOTE: THE BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE REQUIRES ELECTRONIC FILING. ANY RESPONSE OR OBJECTIONS YOU WISH TO FILE MUST BE SUBMITTED ELECTRONICALLY. TO FILE ELECTRONICALLY, YOU OR YOUR ATTORNEY MUST GO TO THE COURT WEBSITE AND FOLLOW THE INSTRUCTIONS AT <https://ecf.tnmb.uscourts.gov>.**

If you need assistance with Electronic Filing you may call the Bankruptcy Court at (615) 736-5584. You may also visit the Bankruptcy Court in person at: 701 Broadway, 1st Floor, Nashville, TN (Monday – Friday, 8:00 a.m. – 4:00 p.m.).

2. Your response must state the deadline for filing responses, the date of the scheduled hearing, and the motion to which you are responding.

3. If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. ***THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.*** You may check whether a timely response has been filed viewing the case on the Court's web site at <www.tnmb.uscourts.gov>.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: June 28, 2023

Respectfully Submitted:

/s/ Austin L. McMullen

Austin L. McMullen (No 20877)
Bradley Arant Boult Cummings LLP
1600 Division St., Suite 700
Nashville, TN 37203
(615) 252-2307
AMcMullen@Bradley.com

Attorneys for Debtor

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 28th day of June, 2023, the foregoing document was automatically served via the Court's electronic filing system to those parties registered to receive electronic filings in this case and by U.S. Mail, postage pre-paid, to the attached mailing list.

/s/ Austin L. McMullen

Austin L. McMullen

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DETROIT, MI. 48277-1380

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NORTHEAST
ATLANTA, GA 30303

POLSINELLI
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SUITE 800
WASHINGTON, DC 20005

PRECISION EFFECT
133 FEDERAL STREET
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BOSTON, MA 02110

SAMINCHEM, INC.
3225 GRAPEVINE ST.
MIRA LOMA, CA 91709

RESOLVE MEDIATION SERVICES, INC.
1211 AVENUE OF THE AMERICAS
40TH FLOOR
NEW YORK, NY 10036-8704

SOVEREIGN PHARMACEUTICAL
7590 SAND STREET
FORT WORTH, TX 76118

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JEFFREY S. GRASL
OFFICE OF THE UNITED STATES TRUSTEE
701 BROADWAY, STE. 318
NASHVILLE, TN 37203

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**APPLICATION FOR ORDER OF EMPLOYMENT OF
BRADLEY ARANT BOULT CUMMINGS LLP AS BANKRUPTCY COUNSEL**

The above-captioned debtor (the “Debtor”) seeks entry of an order, substantially in the form attached hereto as **Exhibit A**, to approve the employment of Bradley Arant Boult Cummings LLP as bankruptcy counsel for the Debtor pursuant to 11 U.S.C. § 327 and Bankruptcy Rule 2014 and as grounds for this Application would show unto the Court as follows:

Jurisdiction and Venue

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334.
2. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.
3. The bases for the relief requested herein are § 327(a) of title 11 of the United States Code, (the “Bankruptcy Code”) and Bankruptcy Rule 2014.

Background

4. On June 21, 2023 (the “Petition Date”), the Debtor filed a voluntary petition for relief under Chapter 11, Subchapter V of the Bankruptcy Code. The Debtor is operating its business as debtor in possession pursuant to §§ 1107(a), 1108 and 1184 of the Bankruptcy Code. No request for the appointment of a trustee or examiner has been made in this Chapter 11 case, and no committees have been appointed or designated at this time.

Basis for Relief

5. The Debtor desires to employ the law firm of Bradley Arant Boult Cummings LLP (“Bradley”), 1600 Division St., Suite 700, Nashville, Tennessee 37203, as its bankruptcy counsel in this Chapter 11 case.

6. Certain members of Bradley are admitted to practice in this Court, have knowledge and experience in bankruptcy law, and are well qualified to represent the Debtor.

7. In the continuance of Debtor’s business and the pending Chapter 11 case, it will be necessary for various professional legal services to be rendered for which it is necessary to retain attorneys. These services include:

- a. Preparing pleadings and applications for filing and conducting examinations incidental to any related proceedings or to the administration of this case;
- b. Advising the Debtor of its rights, duties, and obligations as a Debtor operating under Chapter 11 of the Bankruptcy Code in this District;
- c. Taking any and all other necessary action incident to the proper preservation and administration of this Chapter 11 case, including the sale of assets;
- d. Advising and assisting the Debtor in the formation and confirmation of a plan pursuant to Chapter 11 of the Bankruptcy Code, the disclosure statement, and any and all matters related thereto, and
- e. Performing other services needed of bankruptcy counsel in this Chapter 11 case.

8. To the best of the Debtor’s knowledge, and as evidenced by the attached declaration of Austin McMullen, no member of Bradley holds or represents an interest adverse to these estates and all

members are “disinterested” persons under the Bankruptcy Code. Further, no member has any connection with the U.S. Trustee and any person employed in the office of the U.S. Trustee.

9. The Debtor proposes to compensate Bradley for the services of its attorneys and paralegals according to their hourly rates as those rates may from time to time be adjusted during the pendency of this Chapter 11 case. The current rate for the services of Austin McMullen, the bankruptcy partner that will be the Debtor’s main contact, is \$640.00 per hour. Other attorneys that are available to assist who may spend significant time in this case are William L. Norton, III (\$670.00/hr) and Erin Malone-Smolla (\$445.00/hr).

10. On or about June 13, 2023, Bradley was paid \$51,738 as a retainer for anticipated bankruptcy counsel services, of which \$6,815 was applied to pay for legal services incurred prior to the filing of the Debtor’s Chapter 11 petition. The remaining \$44,923 is being held as a retainer to be applied to the post-petition services to be rendered by Bradley in this Chapter 11 case.

WHEREFORE, the Debtor requests that the Court enter the attached proposed order approving the employment of Bradley Arant Boult Cummings LLP pursuant to Title 11, Section 327 of the United States Code and Bankruptcy Rule 2014 as the Debtor’s bankruptcy counsel in this case under the terms and conditions provided in this Application.

Respectfully Submitted:

/s/ Austin L. McMullen

Austin L. McMullen (No. 20877)
Bradley Arant Boult Cummings LLP
1600 Division St., Suite 700
Nashville, TN 37203
(615) 252-2307
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**DECLARATION IN SUPPORT OF APPLICATION TO EMPLOY
BRADLY ARANT BOULT CUMMINGS LLP AS BANKRUPTCY COUNSEL**

I, Austin McMullen, in support of the Application of the above Debtor for employment of Bradley Arant Boult Cummings LLP (“Bradley”) as bankruptcy counsel for the Debtor in this Chapter 11 case, state as follows:

1. I am a member of the firm of Bradley Arant Boult Cummings LLP, 1600 Division St., Suite 700, Nashville, TN 37203, and am duly admitted to practice in the United States District Court for the Middle District of Tennessee.
2. To the best of my knowledge, each member of Bradley is a disinterested person in this case and no member represents or holds any interest adverse to any of the above Debtor or its estate in the matters upon which Bradley is to be engaged. Further, no member has any connection with the U.S. Trustee and any person employed in the office of the U.S. Trustee.
3. I have personally reviewed the list of creditors and parties of interest provided by the Debtor, and none of them are clients of Bradley.
4. On or about June 13, 2013, Bradley was paid \$51,738 as a retainer for anticipated bankruptcy counsel services, of which \$6,815 was applied to pay for legal services incurred prior to the

filing of the Debtor's Chapter 11 petition. The remaining \$44,923 is being held as a retainer to be applied to the post-petition services to be rendered by Bradley in this Chapter 11 case.

5. Bradley has agreed to represent the Debtor in this Chapter 11 case upon the terms and conditions set forth in the Debtor's Application.

THIS 28th day of June, 2023.

/s/ Austin L. McMullen
Austin L. McMullen (No. 20877)
Bradley Arant Boult Cummings LLP
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Nashville, TN 37203
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**ORDER APPROVING EMPLOYMENT OF
BRADLEY ARANT BOULT CUMMINGS LLP**

This came before the Court upon the Application of the Debtor requesting authority to employ Bradley Arant Boult Cummings LLP as its bankruptcy counsel. It appearing to the satisfaction of the Court that notice of the Application was provided pursuant to Local Rule 9013-1 on June 28, 2023, and that there were no objections to the Application or that any objection has been withdrawn or overruled, and, accordingly, the Application should be granted, it is

ORDERED as follows:

a) The Debtor is hereby authorized to retain Bradley Arant Boult Cummings LLP as its bankruptcy counsel to represent it in the above Chapter 11 case pursuant to Bankruptcy Code Section 327 and Bankruptcy Rule 2014, under the terms and conditions set forth in the Application. This

authorization shall be effective as of the date of the filing of the Debtor's Chapter 11 petition on June 21, 2023.

b) No funds, including the prepetition retainer held by Debtor's counsel, may be applied to post-petition fees or expenses absent entry of an order approving the fees and expenses to be paid.

This Order Was Signed And Entered Electronically as Indicated At The Top Of The First Page

APPROVED FOR ENTRY:

/s/ Austin L. McMullen
Austin L. McMullen (No. 20877)
Bradley Arant Boult Cummings LLP
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Nashville, TN 37203
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